

ORDER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff-Respondent,	§	
	§	
v.	§	CIVIL ACTION NO. B-05-098
	§	(CRIM. NO. B-04-589)
JOSE ARMANDO CARRERA-RUIZ,	§	
Defendant-Movant.	§	

AMENDED ORDER¹

Came on to be considered Defendant Jose Armando Carrera-Ruiz's Motion Requesting Transcripts, in forma pauperis, for the preparation of a 28 U.S.C. § 2255 motion. The Court finds as follows:

- (1) Defendant's application to proceed in forma pauperis is hereby GRANTED. He may proceed without prepayment of costs or fees and is not required to give security therefor.
- (2) Defendant's request for certification from this Court that his § 2255 claims are not frivolous is DENIED as it is premature.
- (3) Defendant's request for a copy of the transcript of the plea and sentencing record in his case is GRANTED.
- (4) His request for a copy of the pre-sentence investigation report is likewise GRANTED.

¹This amended order replaces the Court's previous order entered on March 29, 2005 (Docket No. 1).

The District Clerk is hereby ORDERED to open a civil file for this matter. The government is ORDERED to respond to Defendant's § 2255 motion 60 days from the date it receives said motion.

IT IS SO ORDERED.

DONE at Brownsville, Texas this 4th day of May, 2005.

A handwritten signature in black ink, appearing to read 'F. Recio', is written above a horizontal line.

Felix Recio
United States Magistrate Judge